

REMARKS

Claims 1-11 are pending in this application. By this Amendment, claims 1, 6-11 and the specification (title) have been amended, and claims 12-20 have been cancelled without prejudice. Reconsideration in view of the above amendments and following remarks is respectfully requested.

In the Office Action, claims 1-11 are objected to because the brackets surrounding claim numbers should be deleted. Applicants respectfully submit that the Office's electronic filing system is believed to be the source of those brackets, and not the Applicants. Nonetheless, Applicants have provided a new version of the claims above, which remedies the situation.

The title was objected to as not being descriptive. Applicants have revised the title to make it better conform with the pending claims. Accordingly, Applicants submit that the title is descriptive and request withdrawal of this objection.

In the Office Action, claims 1, 3 and 5 are rejected under 35 U.S.C. §102(e) as being anticipated by Babcock et al. Applicants have revised independent claim 1 to recite that "an emitter region of the vertical PNP transistor include[cs] silicon and germanium; and an extrinsic and intrinsic base region of the vertical NPN transistor [is] located in the same layer as the emitter region of the vertical PNP transistor." Applicants respectfully submit, as will be described in greater detail below, that the prior art of record fails to disclose the claimed invention including these features.

Claim 6 is rejected under 35 U.S.C. §102(b) as being anticipated by Harame et al. Applicants respectfully traverse this rejection. Applicants submit that Harame et al. fail to disclose, *inter alia*, an intrinsic base region of the NPN transistor in a single layer with the

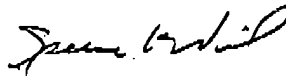
emitter region of the PNP transistor and the extrinsic base region of the NPN transistor. In Hame et al., in FIGS. 7 and 8, an NPN transistor is shown on the left side and a PNP transistor is shown on the right side. The Office's attention is directed to the intrinsic base region 54 (FIG. 7) of the NPN transistor. Applicants submit that it is incomprehensible how the Office can conclude that this region is in the same layer as the extrinsic base region 92 of the NPN transistor and the emitter region 96 of the PNP transistor. In particular, column 6, lines 31-39, explain the formation of layers 92 and 96 upon the already present NPN intrinsic base region 54. Furthermore, FIGS. 5-8 clearly illustrate that the NPN intrinsic base region 54 is constructed in advance of layers 92 and 96. Accordingly, Applicants submit that Hame et al. does not disclose the claimed invention including the single layer that forms an emitter region of the PNP transistor, an extrinsic base region of the NPN transistor and an intrinsic base region of the NPN transistor. Applicants therefore request withdrawal of this rejection.

In the Office Action, claim 2 is rejected under 35 U.S.C. §103(a) as being obvious over Babcock et al.; claim 4 is rejected under 35 U.S.C. §103(a) as being obvious over Babcock et al. in view of Goth; claims 7 and 9 are rejected under 35 U.S.C. §102(e) as being obvious over Hame et al. in view of Babcock et al.; claims 8 and 10 are rejected under 35 U.S.C. §103(a) as being obvious over Hame et al.; and claim 11 is rejected under 35 U.S.C. §103(a) as being obvious over Hame et al. in view of Goth. Since each of these claims is dependent upon either independent claim 1 or 6 or an intervening claim, Applicants respectfully submit that these claims are allowable for at least the reasons stated above. Applicants reserve their right to dispute the Office's conclusions regarding these claims at a later date should the need arise.

With regard to the revisions to claims 6-11, Applicants have revised these claims to remove the limitation of plural transistors. Accordingly, Applicants submit that these revisions do not narrow the claims, nor do they relate to patentability.

Applicant respectfully submits that the application is in condition for allowance. Should the Examiner believe that anything further is necessary to place the application in better condition for allowance, he is requested to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



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1/5/04

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